

REMARKS

Claims 1, 2, 4, 5, 7, 8, 10, 12-16 and 18-23 are pending and stand rejected. Claims 1, 2, 12, 13, 14, 16, 19, 21 and 22 have been amended, and Claim 23 was cancelled. Applicants respectfully request reconsideration and allowance of this application.

With respect to incorporation by reference, the documents incorporated by reference do not contain essential material. Applicants, therefore, respectfully submit that the instant specification is proper.

Applicants respectfully submit that the above amendments overcome the objections/rejections under 35 U.S.C. 112. Support for the amendments can be found, for example, on Page 18, among other portions of the instant specification.

The rejections of Claims 1, 2, 5, 7, 8, 10, 12, 14-16 and 18-21 under 35 U.S.C. 102(b) as being anticipated by Petrole et al. (U.S.P.N. 5,700,523), Claims 1, 2, 4, 5, 7, 8, 10, 12-16, 18, 20 and 21 under 35 U.S.C. 102(b) as being anticipated by Kushida et al. (U.S.P.N. 5,091,224), Claims 1, 2, 4, 5, 7, 8, 10, 12-16 and 18-22 under 35 U.S.C. 102(b) as being anticipated by Purnell et al. (U.S.P.N. 5,451,431), Claims 1, 2, 4, 5, 7, 8, 10, 12-16, 18, 20 and 21 as being anticipated by Sabata et al. (U.S.P.N. 5,478,655), and Claims 1, 2, 4, 5, 7, 8, 10, 12-16, 18, 20 and 21 under 35 U.S.C. 102(b) as being anticipated by van Ooij et al. (U.S.P.N. 5,108,793), are respectfully traversed.

As recognized by the Office in each of these rejections, these references do not teach using colloidal silica nor formation of a silica containing film or surface. These references, therefore, cannot anticipate the pending claims.

This Application is related to commonly assigned U.S. Patent Nos. 6,149,794; 6,258,243; 6,153,080; and 6,322,687; and Application Serial Nos. 09/816,879; 09/755,072; 09/814,641; 10/211,094; and 10/211,029. Applicants respectfully request consideration of these patents and patent applications as well as the references cited therein.

Applicants believe that the claimed invention defines patentable subject matter and request issuance of a Notice of Allowability. Please find attached hereto a One-Month Extension of Time. Should there be any other fee due in connection with this Response, please charge the same to Deposit Account No. 15-0680 (Orscheln Management Co.). Should the Examiner deem that any further action on the part of Applicant would be desirable, the Examiner is invited to telephone Applicants' attorney.

Respectfully Submitted,



Michael K. Boyer
Attorney for Applicant
U.S. Patent Off Reg No 33,085
Tel: 660 269-4536
Fax: 660 269-4530
Email: mboyer@orscheln.com

Encl.: Certificate of Facsimile Transmission Dated: September 19, 2005
One Month Extension of Time